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PATENT

Attorney Docket No.: 18563-000130

Assistant Commissioner for Patents

Washington, D.C. 20231, on JULY 27, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Karen A. Hallock

Karen A. Hallock

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 09/298,268

Filed: April 23, 1999

For: METHOD AND SYSTEM FOR  
INCREMENTALLY MOVING  
TEETH

Examiner: WILSON, JOHN J.

Art Unit: 3732

**TERMINAL DISCLAIMER BY  
ATTORNEY OF RECORD  
PURSUANT TO §1.321(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

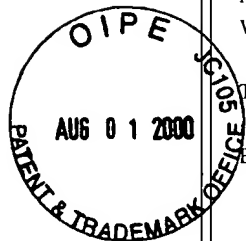
Petitioner, ALIGN TECHNOLOGY, is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, of any prior patent which may issue on copending application no. 09/169,276. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a

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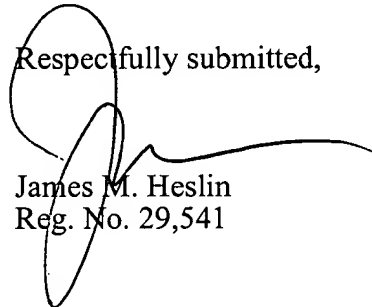
*T.H.*  
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*#6/Terminal*  
*Disclaiming*

maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record in this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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